

## WOOD, HERRON &amp; EVANS, L.L.P.

BRUCE TITTEL  
DONALD F. FREI  
DAVID J. JOSEPHIC  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. BLUMS  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKLUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBURNER  
DAVID H. BRIDGMAN  
BEVERLY A. LYMAN, Ph. D.

OF COUNSEL  
JOHN D. POFFENBERGER  
THOMAS W. FLYNN

2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

WEBSITE: www.whopatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1988  
TRUMAN A. HERRON 1935-1978  
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.  
KATHRYN E. SMITH  
KRISTI L. DAVIDSON  
P. ANDREW BLATT, Ph. D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, Ph. D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
WESLEY L. STRICKLAND  
STEVEN W. BENINTENDI, Ph. D.  
RANDALL S. JACKSON, JR.

\*ADMITTED ONLY IN D.C. AND VA

October 7, 2004

VIA FACSIMILE

Mail Stop 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Deposit Account No. 23-3000

Dear Director:

This letter concerns an error which was made on our September statement for the above-identified Deposit Account No. 23-3000. There is a \$172.00 charge for independent claims in excess of three and a \$72.00 charge for claims in excess of twenty, both of which are for a large entity filing, for Serial No. 10/725,626 (Our Ref.: RWZ-76). These charges are in error. Small Entity status was requested when filing this application and granted as shown on a copy of the enclosed Filing Receipt. The charges should be as follows: \$86.00 for two (2) extra independent claims (highest number previously paid for was four (4)) and \$36.00 for four (4) extra total claims (highest number previously paid for was 26). Authorization to charge our deposit account in the amounts of \$86.00 and \$36.00 (for a total of \$122.00) was included in the Amendment Transmittal. Please immediately credit our Deposit Account No. 23-3000 for the above identified over-charges of \$36.00 and \$86.00 (for a total of \$122.00) to offset this error.

Thank you for your cooperation in this matter.

Very truly yours,

  
Keith R. Haupt

10/15/2004 PALLN 00000001 233000 10725626

KRM:it  
01 FC:2201 Enclosure  
02 FC:2202 KRW:276000 request.wpd

PAGE 2/3 \* RCVD AT 10/17/2004 2:12:32 PM (Eastern Daylight Time) \* SVR:USPTO-EFXXF-1/4 \* DHS:8729306 \* CSB:513 241 6234 \* INFORMATION (mm-ss):01-40

10/15/2004 PALLN 00000001 233000 10725626  
Sale Ref: 00000001  
01 FC:2201 86.00  
02 FC:2202 36.00

BEST AVAILABLE COPY